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Introduced by Senator Rubio

May 15, 2012

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Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 9.5 to Article IX thereof, relating to the University of California.

LEGISLATIVE COUNSEL'S DIGEST

SCA 22, as introduced, Rubio. University of California: admission of out-of-state students.

Existing provisions of the California Constitution establish the University of California as a public trust under the administration of the Regents of the University of California. The University of California system includes 10 campuses, which are respectively located in Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

This measure would require the University of California system to modify admissions so that commencing with the 2013–14 academic year, out-of-state undergraduate students, as defined, would constitute more no more than 10% of an incoming class, or more than 10% of the total undergraduate enrollment, at each campus in the University of California system.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2011–12 Regular
- 3 Session commencing on the sixth day of December 2010,
- 4 two-thirds of the membership of each house concurring, hereby

1 proposes to the people of the State of California, that the  
2 Constitution of the State be amended as follows:

3 First—The people of the State of California find and declare all  
4 of the following:

5 (a) California has demonstrated a longstanding commitment to  
6 higher education, beginning with the state's landmark 1960  
7 California Master Plan for Higher Education, which divided public  
8 responsibility for postsecondary education among the University  
9 of California, the California State University, and the California  
10 Community Colleges.

11 (b) The University of California (UC) has a unique obligation  
12 to serve the diverse ethnic and economic needs of the State and  
13 provide ample educational opportunities to California residents.

14 (c) Recently, there has been an alarming trend of the UC system  
15 admitting increasing numbers of out-of-state students, thereby  
16 limiting opportunities for California residents.

17 (d) In Fall 2012, the percentage of non-Californians admitted  
18 to the UC spiked to more than 23 percent of the freshman class,  
19 which was an increase from around 11 percent just three years  
20 before.

21 (e) Between 2009 and 2012, the percentage of foreign and  
22 out-of-state students at UC campuses doubled.

23 (f) The biggest increases in out-of-state students are concentrated  
24 at University of California, Berkeley (UC Berkeley), University  
25 of California, Los Angeles (UCLA), and University of California,  
26 San Diego (UCSD), the three most selective and perhaps most  
27 widely known UC campuses outside California.

28 (g) This trend is contrary to the policy of the Regents of the  
29 University of California that caps out-of-state undergraduate  
30 enrollment at 10 percent systemwide.

31 (h) While the UC system guarantees admission to the top 9  
32 percent of graduates from participating high schools, an increasing  
33 percentage of these graduates are not being offered spots at more  
34 competitive schools such as UC Berkeley, UCLA, and UCSD.

35 (i) While out-of-state students contribute to the diversity of  
36 opinions and perspectives on campus, recruiting out-of-state  
37 students for the purpose of balancing the UC budget contributes  
38 to the perceived privatization of the system and undermines public  
39 support for restoring funding.

1 (j) Residents of California have shown an increased desire to  
2 enroll in the UC system, as applications from California residents  
3 for admission in Fall 2012 rose to 93,298, an increase of 9.8 percent  
4 over the preceding year, demonstrating that more California  
5 residents would like to attend UC and are being turned away.

6 (k) The Public Policy Institute of California projects that, by  
7 2025, there will be a deficit of one million educated workers in  
8 California unless the state is able to substantially increase rates of  
9 college enrollment and graduation.

10 (l) California cannot close the gap by drawing college-educated  
11 workers from elsewhere, and will need to produce more graduates  
12 through its state colleges and universities.

13 (m) Therefore, it is the intent of the people of the State of  
14 California to cap admissions of out-of-state undergraduate students  
15 for each incoming freshman class at each campus of the UC system  
16 at 10 percent in order to increase opportunities for California  
17 residents.

18 Second—That Section 9.5 is added to Article IX thereof, to  
19 read:

20 SEC. 9.5. (a) Commencing with the 2013–14 academic year,  
21 out-of-state undergraduate students shall constitute no more than  
22 10 percent of the incoming class, and no more than 10 percent of  
23 the total undergraduate enrollment, at each campus in the  
24 University of California system.

25 (b) As used in this section, an “out-of-state undergraduate  
26 student” is a student whose residence was outside of California at  
27 the time he or she initially applied for enrollment in the University  
28 of California.